



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.03-284-E)

PATENT

In re Application of:)
)
Costa et al.)
)
Serial No.: 10/809,144) Before the Examiner: Unassigned
)
Filed: March 25, 2004) Group Art Unit: 1642
)
For: Methods of Inhibiting Tumor)
Cell Proliferation)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-described patent application: Information Disclosure Statement and return postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2006.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 11, 2006

By: 

Jason J. Derry
Reg. No. 50,692



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Sir:

INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

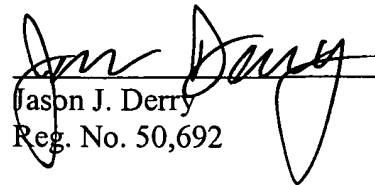
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

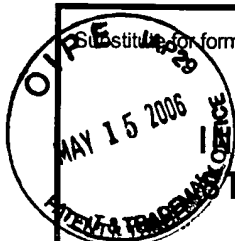
If there is any fee due in connection with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Huibert & Berghoff

Dated: May 11, 2006

By:


Jason J. Derry
Reg. No. 50,692



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

| | |
|----------------------|----------------|
| Application No. | 10/809,144 |
| Filing Date: | March 25, 2004 |
| First Named Inventor | Costa et al. |
| Group Art Unit | 1642 |
| Examiner Name | |
| Attorney Docket No. | 03-284-E |

Sheet

1

of

2

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. 1 | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Figures Appear |
|-----------------------|------------------|----------------------|---|--|--|---|
| | | Number | Kind Code ² (if known) | | | |
| | | US 2002/0156023 | A1 | Walling et al. | 10-24-2002 | |
| | | US 2002/0155988 | A1 | O'Hare et al. | 10-24-2002 | |
| | | US 2002/0193325 | A1 | DEPINHO | 12-19-2002 | |
| | | 6,172,194 | B1 | Sherr et al. | 01-09-2001 | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. 1 | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Figures Appear | T ⁶ |
|-----------------------|------------------|-------------------------|---------------------|--------------------------------------|---|--|--|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | | WO | 01/60374 | A1 | Centre National De La Recherche Scientifique | 08-23-2001 | | |
| | | WO | 02/083140 | A1 | Merck & Co., Inc. | 10-24-2002 | | |
| | | WO | 02/26236 | A1 | Virginia Commonwealth Univ. | 04-04-2002 | | |
| | | WO | 02/092013 | A3 | Board of Trustees of the U of I | 11-21-2002 | | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English translation is attached.

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|--|---|----|----|--------------------------|----------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application No. | 10/809,144 |
| | | | | Filing Date: | March 25, 2004 |
| | | | | First Named Inventor | Costa et al. |
| | | | | Group Art Unit | 1642 |
| | | | | Examiner Name | |
| Sheet | 2 | of | 32 | Attorney Docket No. | 03-284-E |

| OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS | | | |
|--|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
| | | WANG <i>et al.</i> "Increased Hepatic Forkhead Box M1B (FoxM1B) Levels in Old-aged Mice Stimulated Liver Regeneration through Diminished p27 ^{Kip1} " <i>Journal of Biological Chemistry</i> 277(46) 44310-16 (November 15 2002). | |
| | | MAJOR <i>et al.</i> , "Forkhead Box M1B Transcriptional Activity Requires Binding of Cdk-Cyclin Complexes for Phosphorylation-Dependent Recruitment of p300/CBP Coactivators" <i>Molecular and Cellular Biology</i> 24(7)2649-61 (April 2004). | |
| | | KRUPCZAK-HOLLIS <i>et al.</i> , "Growth Hormone Stimulates Proliferation of Old-Aged Regenerating Liver Through Forkhead Box m1b" <i>Hepatology</i> 38(6) 1552-62 (December 2003). | |
| | | WANG <i>et al.</i> , "The Forkhead Box m1b transcription factor is essential for hepatocyte DNA replication and mitosis during mouse liver regeneration" <i>PNAS</i> 99(26) 16881-6 (December 24, 2002). | |
| | | KORVER <i>et al.</i> , "The Human TRIDENT/HFG-11/FKHL 16 Gene: Structure, Localization, and Promoter Characterization" <i>Genomics</i> 46:435-442 (1997). | |
| | | KORVER <i>et al.</i> , "The winged-helix transcription factor Trident is expressed in cycling cells" <i>Nucleic Acids Research</i> 25(9)1715-19 (1997). | |
| | | YAO <i>et al.</i> , "Molecular Analysis of a Novel Winged Helix Protein, WIN" <i>The Journal of Biological Chemistry</i> 272(32) 19827-36 (August 8, 1997). | |
| | | YE <i>et al.</i> , "Hepatocyte Nuclear Factor 3/fork head Homolog 11 Is Expressed in Proliferating Epithelial and Mesenchymal Cells of Embryonic and Adult Tissues" <i>Molecular and Cellular Biology</i> 17(3)1626-41 (1997). | |
| | | YE <i>et al.</i> , "Premature Expression of the Winged Helix Transcription Factor HFH-11B in Regenerating Mouse Liver Accelerates Hepatocyte Entry into S. Phase" <i>Molecular and Cellular Biology</i> 19(13)8570-80 (1999). | |
| | | SUPRIATNO <i>et al.</i> "Overexpression of p27 ^{Kip1} induces growth arrest and apoptosis in an oral cancer cell line" <i>Oral Oncology</i> 38(7)730-736 (2002). | |
| | | THE <i>et al.</i> , "FOXM1 is a Downstream Target of Gli1 in Basal Cell Carcinomas" <i>Cancer Research</i> 62(16)4773-4780 (2002). | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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